

From: **Carol Bloch**
Jun 6, 2016 at 12:34 PM
Subject: CMCN: Immediate action needed!
To: "Courts Matter Coalition of Nebraska (CMCN)"

Dear CMCN members and friends,

As you will see from the letter below, Marta and I met with Dusty Vaughan, State director for Sen. Deb Fischer, in the Senator's Omaha office last Friday. In order to make that meeting more productive, Senator Fischer must hear from *all* of you and the individuals in the organizations you represent. The main reason for our meeting was to ask Sen. Fischer to, at the very least, meet with Sup. Ct. nominee Judge Garland. The confirmation of federal judges should be without partisan obstruction! The US Constitution gives the Senate the duty to "advise and consent" on the president's nominee to fill a Sup. Ct. vacancy. We believe that those who refuse to do their job are violating their oath to uphold the Constitution. Following the nomination of Judge Merrick Garland, a CNN/ORC poll found that 2/3 of Americans want the Senate to hold confirmation hearings on this nominee.

Please call, email or write to Sen. Fischer's office today to strongly urge her to meet with Judge Garland.
Omaha offc: [402-441-4600](tel:402-441-4600) DC offc: [202-224-6551](tel:202-224-6551).

***Please note: Members of our coalition will be meeting with Kari Ridder, State Policy Dir. for Sen. Sasse, on Friday.* Therefore, we will be needing calls generated to his office as well next week.
Omaha offc: [402-550-8040](tel:402-550-8040) DC offc: [202-224-4224](tel:202-224-4224)

Thank you in advance for your help on this urgent matter.
Please let us know what responses you receive from our Senators.
Best Regards,
Carol Bloch

Dear Dusty,

Thank you so much for meeting with Marta Nieves and I on behalf of Courts Matter Coalition of Nebraska. It was good to talk with you again and I trust that you will share our concerns with Senator Fischer.

The member organizations CMCN work to ensure a federal judiciary composed of well-qualified judges who are confirmed to the Bench in a timely manner. As you know, unfortunately, this is not happening. Since the federal courts are the final arbiters when it comes to the rights of all Americans – voting rights, freedom of speech and workers rights to name a few – having courts with a full compliment of judges is of the utmost importance to individuals as well as to businesses.

We share the Senator's concern that Robert Rossiter has certainly not been confirmed in a timely manner to fill the seat in Nebraska, a seat which is now considered a "judicial emergency". As Senator Fischer has said, "With a small bench and a full docket it is important that this federal district court is operating at full capacity." I hope that she will do everything in her power to see that this happens.

In the same vain, we strongly believe that the Supreme Court should certainly have its full compliment of Justices. The Supreme Court recently deadlocked 4-4 and the case, *Zubik v. Burwell*, was sent back to the

lower courts leaving an important issue unresolved. This proves that without a 9th justice the 8 Justices had trouble doing their important job of settling disputes over the rule of law when lower courts disagree.

In a memorandum explaining why he would not recuse himself from a pending case, the late Justice Scalia stated that proceeding "with 8 justices raises the possibility that, by reason of a tie vote, the Court will find itself unable to resolve the significant legal issue presented by the case...even one unnecessary recusal impairs the functioning of the Court." If the Senate fails to act, the Supreme Court will go two terms – well over a year – with an eight member court. This is an intolerable disservice to the American people. Without the stability that only a nine-member Supreme Court can provide, all US citizens will suffer.

Therefore, we ask that Senator Fischer, at the very least, meet with Judge Merrick Garland. We know she will find him to be a proven judge with excellent credentials, person integrity, outstanding intellect, and commitment to the rule of law – values she expects in a Supreme Court Justice of the United States.

Recent polls, and a vast number of newspaper editorials around the country, have shown that the American people believe that Judge Garland deserves a hearing by the judiciary committee and an up-or-down vote by the Senate. All Senators have the constitutional responsibility to "advise and consent" on this extremely crucial matter.

The members of Courts Matter Coalition of Nebraska believes that the Senate should consider all federal judicial nominees in a fair and expeditious manner, voting based on the merit of the nominee, not on politics.

I look forward to our continued contact about the issues of our mutual concern.

Best Regards,
Carol Bloch
Courts Matter Coalition of Nebraska